## United States Bankruptcy Court District of Massachusetts Eastern Division

In Re:	
Debra Jean Silva, Debtor	) Chapter 7 ) Case No. 09-19222-WCH
	· ) Case 110. 09-19222-WC1
Sovereign Bank, Plaintiff	) )
v.	)
Robert B. Our Co., Inc., Rockland	)
Trust Company, Edward E. Veara,	)
Hallsmith-Sysco Food Services,	)
LLC, Royal Bank America	) Adversary Proceedings
Leasing, John F. Noons, Inc., The	) Case No. 10-01205
<b>Commonwealth of</b>	)
Massachusetts, Nickerson	)
<b>Lumber Company, Cape Tip</b>	)
Seafood, Inc., Timepayment	)
Corp. 85-87 Shankpainter Road,	)
LLC, Clement A. Silva, individually	)
and as Trustee of the ClemDeb Realty	)
Trust, Debra J. Silva, as Trustee of	)
the ClemDeb Realty Trust, and	)
Stephen E. Shamban, as Chapter 7	)
Trustee,	)
Defendants	)

Robert B. Our Co., Inc.'s Motion to Allow Late Filing of Answer to Cross-Claim

Defendant Robert B. Our Co., Inc. respectfully requests that the Court allow it to file a late answer to Stephen E. Shamban, Chapter 7 Trustee's cross-claim.

Although the cross-claim was served on October 4, 2010, due to the inadvertence of

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counsel, the defendant did not timely respond. As set forth in the attached, proposed answer, the defendant has several meritorious defenses to the cross-claim.

(Proposed Answer, Exhibit A at 4–5.) It would be inequitable if the defendant were prevented from responding to the cross-claim.

Respectfully submitted, Robert B. Our Co., Inc. By its attorneys,

/s/ Brian Widegren
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/s/ Frank J. Shealey

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Dated: October 29, 2010

## **Certificate of Service**

I hereby certify that I have this date caused a copy of the following documents to be electronically transmitted to the following persons:

Document: Defendant Robert B. Our Co., Inc.'s

Motion to Allow Late Filing of

Answer to Cross-Claim

Persons Served: Jessica Murphy, Esq.

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Dated: October 29, 2010 /s/ Brian Widegren

Brian Widegren, BBO# 527150

72 Route 28, Suite 6

West Harwich, MA 02671

(508) 432-2600

## **Certificate of Service**

I, Frank J. Shealey, certify that I have this 29th day of October, 2010, served a copy of Defendant Robert B. Our Co., Inc.'s Motion to Allow Late Filing of Answer to Cross-Claim on the parties or persons listed below, by mail, postage prepaid, as indicated below.

## /s/ Frank J. Shealey

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Timepayment Corp. 10M Commerce Way Woburn, MA 01801

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